

DECLARATION

State of West Virginia
County of OHIO

This day appeared before the undersigned authority, Kyle David Saunders, who after being duly sworn upon his oath, did depose and say the following:

1. I, Kyle David Saunders, being of sound mind and body, swear and confirm the following.
2. I currently serve as the Executive Director of the West Virginia Republican Party and began my tenure in July of this year.
3. My responsibilities as the Executive Director of the West Virginia Republican Party include compiling and furnishing a Rule 16(f) filing to the Republican National Committee that has been approved by the West Virginia Republican State Executive Committee.
4. The 16(f) filing outlines the method by which West Virginia's delegation to the Republican National Convention is to be elected and provides instructive materials pertaining to allocation and binding of delegates and alternate delegates to the Republican National Convention for the purpose of nominating a candidate for President of the United States. Rule 16(f) of *The Rules of the Republican Party* informs state parties of the following:

"On or before October 1 of the year before the year in which the national convention is to be held, each Republican state committee shall adopt rules, procedures, policies, and instructive materials (prepared pursuant to Rule No. 15(a)) governing the election, selection, allocation, or binding of delegates and alternate delegates to the national convention to convene during the following year and shall certify and file with the secretary of the Republican National Committee true copies of the same and of all statutes governing the election, selection, allocation, or binding of such delegates and alternate delegates."

5. On March 18, 2023, the West Virginia Republican State Executive Committee voted and approved the method by which the West Virginia delegation to the Republican National Convention would be selected and allocated.
6. In September of this year, the West Virginia Republican Party submitted its 16(f) documentation to the Republican National Committee (having previously filed it with the West Virginia Secretary of State). The documentation was well-received and subsequently approved and filed. [Pertinent 16(f) documentation attached hereto as Exhibit 1.]
7. With the acceptance of the Rule 16(f) filing, the methodology for delegate selection and the delegate allocation process with respect to West Virginia's delegation to the 2024 Republican National Convention became the official process for the 2024 election cycle.
8. In summary, the formulation and execution of the aforementioned methodology and process rests solely with the West Virginia Republican State Executive Committee, which shall elect West Virginia's delegates and alternate delegates to the 2024 Republican National Convention. These delegates shall be bound on the first ballot to support the winner of West Virginia's 2024 presidential preference primary election.
9. Further affiant sayeth naught.
10. Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.



KYLE DAVID SAUNDERS

Taken, sworn to, and acknowledged before me, the undersigned authority, on this 11th

Day of November 2023, by KYLE DAVID SAUNDERS in the County and State aforementioned.

My Commission Expires





Vicki Drummond, Secretary
c/o Counsel's Office
Republican National Committee
310 First Street, SE
Washington, DC 20003
Delivered via Email: counsel@gop.com

September 6, 2023

Dear Ms. Drummond,

Pursuant to Rule 16(f) of *The Rules of The Republican Party*, please accept the enclosed filing from the West Virginia Republican Party.

Contained in this filing are the following documents, rules, procedures, and relevant statutes, in order:

- Rule 16(f) Summary and Summary Form
- The Bylaws of the West Virginia Republican Party
- Delegate Selection Plan filed with the West Virginia Secretary of State on March 23, 2023
- Delegate/Alternate Delegate Interest Packet
- West Virginia Code §3-5-1: Time of Primary
- West Virginia Code §3-5-2: Delegates to National Conventions
- West Virginia Code §3-5-3: Presidential Preference
- West Virginia Code §3-5-8: Filing Fees
- West Virginia Code §3-5-8a: Ballot Access Petition In lieu of Filing Fee

Once approved, please acknowledge your receipt of these documents and their successful filing in accordance with our obligations under *The Rules of The Republican Party*. If you have any further questions or concerns regarding West Virginia's process to elect, select, allocate, or bind Delegates to the Republican National Convention, please don't hesitate to contact me.

Thank you,

Elgine McArdle
Chair, West Virginia Republican Party

Exhibit 1

Delegate Selection Plan – 2024 Republican National Convention

1. In order to be eligible to be elected as a Delegate or an Alternate Delegate to the Republican National Convention, an individual must be a registered Republican voter in West Virginia by December 31 during the year immediately preceding the year in which a Presidential election is held.
2. The Steering Committee shall serve as the Nominating Committee. The slate of Delegates and alternate delegates to the Republican National Convention shall be nominated and elected in a manner consistent with *The Rules of The Republican Party*.
3. Delegates and Alternate Delegates to the Republican National Convention shall be elected in the following manner:
 - a. Any person who desires to stand for election for the position of Delegate or Alternate Delegate to the Republican National Convention shall submit a letter to the West Virginia Republican Party Headquarters not sooner than March 15 but not later than April 1 during each year in which a Presidential election is held. Such letter shall reflect the activism and work done on behalf of the Republican Party and Republican candidates at all levels.
 - b. Immediately following the primary election, the State Chairman shall furnish an electronic copy of all submitted letters, as well as a summary sheet of candidates, to the Steering Committee.
 - c. During the Summer Meeting, the Steering Committee shall review the letters and shall nominate a slate of Delegates and Alternate Delegates to the Republican National Convention. The slate shall include Delegates and Alternates apportioned by Congressional Districts and State-At-Large, the number of which shall be governed and prescribed by the Call to Convention issued by the Republican National Committee and *The Rules of the Republican Party*. The slate shall be presented to the State Executive Committee. No nominations shall be taken from the floor. **The State Executive Committee shall elect or reject the slate. No slate shall be elected unless it receives a majority of votes cast.** Should a slate be rejected by the State Executive Committee, the Steering Committee shall reconvene and nominate a new slate. This process shall continue indefinitely until a slate is elected.
 - d. **Delegates to the Republican National Convention representing West Virginia shall, on the first round of balloting, be bound to vote for the candidate who receives the most votes during the West Virginia Presidential Preference Primary Election.**

West Virginia Code §3-5-2

WEST VIRGINIA CODE: §3-5-2

§3-5-2. Delegates to national conventions; alternate delegates.

- (a) At the primary election to be held in the year one thousand nine hundred ninety-two, and in each fourth year thereafter, there shall be elected by the voters of each political party of the state, in accordance with a plan adopted by the state party, persons to be delegates to the national convention of the party to be held next after the date of such primary.
- (b) The plan adopted by each political party of the state shall state the method, subject to compliance with their national party rules and not inconsistent with the provisions of this chapter, for the election of persons in each congressional district of the state as delegates to the national convention of the party, for the election or selection of persons in each congressional district of the state as alternate delegates to the national convention of the party and for the selection of all remaining delegates and alternate delegates allocated to the party in their national convention. Not less than one hundred twenty days before the primary election to be held in the year one thousand nine hundred ninety-two, and in every fourth year thereafter, the governing body of each political party of the state shall certify the plan adopted by the party under signature of the state party chairman and file the plan with the Secretary of State. Any questions regarding whether such plan was rightfully adopted by the party shall be resolved by the party based upon party rules.
- (c) The plan adopted by each political party of the state shall, to the extent permissible under their national party rules, provide for the following:
- (1) The voters of each political party shall elect in each congressional district the number of persons as delegates to the national convention of the party to which the district is entitled.
 - (2) If the rules of the national political party do not require the apportionment of delegates on the basis of their commitment for president, the persons receiving the highest number of votes as delegates in any congressional district to the number to which the district is entitled, shall be elected delegates. After the election of delegates in each congressional district to the number to which the district is entitled, the persons receiving the next highest votes in each congressional district and having qualified, as may be provided in the plan adopted by the party, shall be elected as alternate delegates to the number of alternate delegates to which the district is entitled.
 - (3) If the rules of the national political party require that the percentage of votes cast for the various presidential candidates determine the apportionment of committed candidates to be elected as delegates or alternates, regardless of whether such committed candidates received the highest number of votes, then the plan adopted by the political party of the state shall prescribe the number of delegates and alternates to be elected under such apportionment, the method by which the apportionment shall be made, and the method by which the Secretary of State shall determine which delegates and alternates are elected. A

West Virginia Code §3-5-2

committed candidate for delegate to national convention is one whose preference for particular presidential candidate appears on the ballot.

(4) In the event the number of persons elected in the primary election in a congressional district is less than the number to which the district is entitled as delegates and alternate delegates to the national convention of the political party, the governing body of the political party of the state shall appoint persons from the congressional district to serve as delegates or alternate delegates to the national convention of the party unless the rules of the party otherwise provide.

(5) The number of persons which each of the congressional districts in the state are entitled to elect as delegates to the national convention of the political party shall be apportioned among the congressional districts in the same proportion to the total number of delegates to the party's national convention elected in all congressional districts in the state as the population of the congressional district bears to the total population of the state based upon the census of population taken by the bureau of the census of the United States Department of Commerce in the year one thousand nine hundred ninety, and in every tenth year thereafter.

(d) The official primary ballot at the primary election to be held in the year one thousand nine hundred ninety-two, and in every fourth year thereafter shall, following the names of all candidates for delegates to the national convention of the party, contain the words "For election in accordance with the plan adopted by the party and filed with the Secretary of State."

(e) Unless and until a political party of the state has adopted and certified a plan for the election of delegates to the national convention of the party and filed the plan with the Secretary of State, there shall be elected by the voters of the political party of the state at the primary election to be held in the year one thousand nine hundred ninety-two, and in each fourth year thereafter, the number of persons to which the party is entitled as delegates-at-large, and by the voters of each political party in each congressional district in the state the number of delegates to which the district is entitled. The persons receiving the highest number of votes in the state as delegates-at-large, to the number to which the state is entitled, shall be elected delegates. The persons receiving the highest number of votes as delegates in any congressional district, to the number to which the district is entitled, shall be elected delegates. Each delegate so elected shall then appoint an individual to serve as alternate delegate, and shall by registered letter notify the Secretary of State of such appointment within forty days after the primary election.